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DOCKET NO.: RUC-0046-0087US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Barbara A. Zilinskas, et al.

Confirmation No.: 8791

Application No.: 09/743,840

Group Art Unit: 1638

Filing Date: January 17, 2001

Examiner: Georgia L. Helmer

For: AGROBACTERIUM-MEDIATED TRANSFORMATION OF TURFGRASS

EXPRESS MAIL LABEL NO: EL998518896US

DATE OF DEPOSIT: December 30, 2004

EL998518896US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **23 - 32** listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

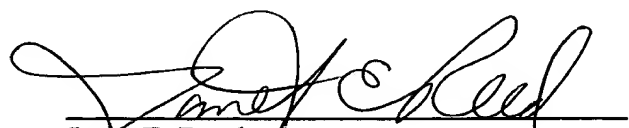
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**PATENT**

There are no listed references which are not in the English language.

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Date: 12/30/04

  
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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. RUCC-0046/ 98-0087US		Application No. 09/743,840	
	Applicant Barbara A. Zilinskas, et al.			
	Filing Date January 17, 2001		Group 1638	
	Confirmation No. 8791			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

*	23	Chan, M.-T., et al., "Agrobacterium-mediated production of transgenic rice plants expressing a chimeric $\alpha$ -amylase promoter/ $\beta$ -glucuronidase gene," <i>Plant Molecular Biology</i> , <b>1993</b> , 22, 491-506
*	24	Christensen, A.H., et al., "Ubiquitin promoter-based vectors for high-level expression of selectable and/or screenable marker genes in monocotyledonous plants," <i>Transgenic Res.</i> , <b>1996</b> , 5, 213-218
*	25	Dalton, S.J., et al., <i>Agrobacterium</i> mediated transformation of <i>Festuca arundinacea</i> and <i>Lolium multiflorum</i> ," <i>J. of Experimental Botany</i> , <b>1998</b> , 49(Suppl.), P4.26, page 32
*	26	Hiei, Y., et al., "Transformation of rice mediated by <i>Agrobacterium tumefaciens</i> ," <i>Plant Molecular Biology</i> , <b>1997</b> , 35, 205-218
*	27	Inokuma, C., et al., "Transgenic Japanese lawngrass ( <i>Zoysia japonica</i> Steud.) plants regenerated from protoplasts," <i>Plant Cell Reports</i> , <b>1998</b> , 17, 334-338
*	28	Park, H.-D., et al., "Construction of binary vectors for the rice transformation using a rice actin promoter and replication origin of pTi12 isolated from <i>Agrobacterium tumefaciens</i> KU12," <i>J. of Plant Biol.</i> , <b>1995</b> , 38(4), 365-371
*	29	Park, .S.H., et al., "T-DNA integration into genomic DNA of rice following <i>Agrobacterium</i> inoculation of isolated shoot apices," <i>Plant Molecular Biology</i> , <b>1996</b> , 32, 1135-1148
*	30	Schledzewski, K., et al., "Quantitative transient gene expression: comparison of the promoters for maize polyubiquitin1, rice actin1, maize-derived Emu and CaMV 35S in cells of barley, maize and tobacco," <i>Transgenic Res.</i> , <b>1994</b> , 3, 249-255
*	31	Zhong, H., et al., "Transgenic plants of turfgrass ( <i>Agrostis palustris</i> Huds.) from microprojectile bombardment of embryogenic callus," <i>Plant Cell Repts.</i> , <b>1993</b> , 13, 1-6

**EXAMINER**

**DATE CONSIDERED**

\* Cited on the Supplementary European Search Report dated July 1, 2004 (EP 99 93 7262).



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**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
*	32	WO 98/06860	02/19/98	PCT		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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\* Cited on the Supplementary European Search Report dated July 1, 2004 (EP 99 93 7262).